

PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 24, 2011

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(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 24, 2011

The House met pursuant to adjournment at 8:32 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Dwight Grosvenor, Griswold United Methodist Church. He was the guest of Representative Drake of Cass County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Andy Young, Page from Clarion.

The Journal of Wednesday, March 23, 2011 was approved.

SENATE MESSAGES CONSIDERED

[Senate File 192](#), by committee on natural resources and environment, a bill for an act relating to snowmobile registration and permit fees.

Read first time and referred to committee on **ways and means**.

[Senate File 419](#), by committee on education, a bill for an act authorizing the establishment of a philanthropy account within a student activity fund.

Read first time and referred to committee on **education**.

[Senate File 444](#), by committee on education, a bill for an act relating to oversight functions performed by the college student aid commission regarding certain restrictions and requirements for schools offering postsecondary educational programs and making penalties applicable.

Read first time and referred to committee on **education**.

[Senate File 510](#), by committee on appropriations, a bill for an act relating to and making appropriations to the justice system.

Read first time and referred to committee on **appropriations**.

[Senate File 511](#), by committee on appropriations, a bill for an act relating to and making appropriations to the judicial branch.

Read first time and referred to committee on **appropriations**.

On motion by Upmeyer of Hancock, the House was recessed at 8:39 a.m., until 1:00 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Quirk of Chickasaw on request of McCarthy of Polk; Brandenburg of Pottawattamie on request of Kaufmann of Cedar; Horbach of Tama on request of Kaufmann of Cedar; Iverson of Wright on request of Kaufmann of Cedar; Watts of Dallas on request of Kaufmann of Cedar; Upmeyer of Hancock, until her return, on request of Kaufmann of Cedar.

AFTERNOON SESSION

The House reconvened at 1:03 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

[House File 656](#), by committee on government oversight, a bill for an act relating to reporting of waivers granted from abortion notification requirements for pregnant minors.

Read first time and placed on the **calendar**.

[House File 657](#), by committee on government oversight, a bill for an act relating to abortions including prohibiting late-term abortions with certain exceptions, providing penalties, and including an effective date provision.

Read first time and placed on the **calendar**.

ADOPTION OF [HOUSE RESOLUTION 33](#)

Helland of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 33](#), a resolution recognizing the Hoover Uncommon Public Service Award, and moved its adoption.

The motion prevailed and the resolution was adopted.

Representative Sweeney addressed the House after being recognized as the recipient of the Hoover Uncommon Public Service Award.

The House rose and expressed its appreciation.

SENATE AMENDMENT CONSIDERED

Schultz of Crawford called up for consideration [House File 267](#), a bill for an act relating to the identification of historic properties by certain rural electric cooperatives, amended by the Senate, and moved that the House concur in Senate amendment [H-1449](#).

The motion prevailed and the House concurred in the Senate amendment [H-1449](#).

Schultz of Crawford moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 267](#))

The ayes were, 88:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Massie	Miller, H.	Miller, L.	Moore

Muhlbauer	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Thede	Thomas	Tjepkes
Van Engelenhoven	Vander Linden	Wagner	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 4:

Hunter	Mascher	McCarthy	Taylor, T.
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Absent or not voting, 8:

Berry	Brandenburg	Horbach	Iverson
Murphy	Quirk	Upmeyer	Watts

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILL Regular Calendar

[House File 458](#), a bill for an act concerning the retention of funds due to contractors on public improvements, was taken up for consideration.

Baltimore of Boone asked and received unanimous consent to withdraw amendment [H-1405](#) filed by him on March 21, 2011.

Baltimore of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 458](#))

The ayes were, 55:

Alons	Anderson	Arnold	Baltimore
Baudler	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton

Hein	Helland	Huseman	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Van Engelenhoven	Vander Linden	Wagner
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

Absent or not voting, 6:

Brandenburg	Horbach	Iverson	Quirk
Upmeyer	Watts		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Helland of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 267** and **458**.

SUBCOMMITTEE ASSIGNMENTS

[House File 631](#)

Ways and Means: Moore, Chair; De Boef and Muhlbauer.

[House File 632](#)

Ways and Means: Helland, Chair; Quirk and Sands.

[House File 633](#)

Ways and Means: Byrnes, Chair; Soderberg and Thomas.

[House File 634](#)

Ways and Means: Paustian, Chair; Grassley and Kearns.

[House File 635](#)

Ways and Means: Pettengill, Chair; Kajtazovic and J. Taylor.

[House File 637](#)

Ways and Means: J. Taylor, Chair; Forristall and Willems.

[House File 640](#)

Ways and Means: Helland, Chair; Oldson and Sands.

[House File 647](#)

Ways and Means: Helland, Chair; Muhlbauer and Sands.

[Senate File 419](#)

Education: L. Miller, Chair; Forristall and Kelley.

[Senate File 444](#)

Education: L. Miller, Chair; Forristall and Winckler.

[Senate File 480](#)

Human Resources: Schulte, Chair; Heaton and M. Smith.

[Senate File 510](#)

(Committee of the Whole)

Appropriations: Worthan, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe and Winckler.

[Senate File 511](#)

(Committee of the Whole)

Appropriations: Worthan, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe and Winckler.

[Senate File 512](#)

Appropriations: Lukan, Chair; Garrett and Hall.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 223](#)

Ways and Means: Soderberg, Chair; Forristall and Isenhardt.

[House Study Bill 224](#)

Ways and Means: Hein, Chair; Jacoby and Paustian.

[House Study Bill 225](#)

Ways and Means: Byrnes, Chair; Helland and Isenhardt.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 227](#) Ways and Means

Providing for an alternative motor fuel facility tax credit and including effective date and applicability provisions.

[H.S.B. 228](#) Ways and Means

Increasing the exclusion from the calculation of net income for pensions and other retirement benefits, increasing the eligible age for the exclusion, and including retroactive applicability provisions.

[H.S.B. 229](#) Ways and Means

Providing a sales tax exemption for the sale of paint and other consumable items to an auto body shop.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

[Senate File 508](#), a bill for an act relating to state and local financial matters by revising certain appropriations and appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Fiscal Note is not required.

Recommended **Do Pass** March 24, 2011.

[Senate File 509](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment** [H-1457](#) March 24, 2011.

Committee Bill (Formerly [House File 457](#)), providing for the transfer of duties relating to the certification of milk from the department of public health to the department of agriculture and land stewardship, providing for the transition, and providing an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 24, 2011.

COMMITTEE ON EDUCATION

[Senate File 122](#), a bill for an act relating to the duties of the college student aid commission and to requirements regarding certain financial aid programs administered by the commission.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2011.

[Senate File 123](#), a bill for an act providing for immunity from civil liability for members and employees of the board of educational examiners.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2011.

[Senate File 424](#), a bill for an act establishing a district-to-community college program and facilities sharing pilot program.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2011.

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly [House File 5](#)), relating to abortions including prohibiting late-term abortions with certain exceptions, providing penalties, and including an effective date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 23, 2011.

Committee Bill (Formerly [House Study Bill 218](#)), relating to the administration of prison industries established and maintained by the Iowa department of corrections, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 23, 2011.

Committee Bill (Formerly [House File 439](#)), relating to reporting of waivers granted from abortion notification requirements for pregnant minors.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2011.

COMMITTEE ON HUMAN RESOURCES

[Senate File 185](#), a bill for an act relating to the membership of the medical assistance advisory council.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2011.

[Senate File 279](#), a bill for an act relating to child support recovery.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2011.

COMMITTEE ON LOCAL GOVERNMENT

[Senate File 315](#), a bill for an act relating to emergency management planning.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2011.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 402](#)), relating to certain fees assessed for activities regulated under the federal Clean Air Act.

Fiscal Note is not required.

Recommended **Do Pass** March 24, 2011.

Committee Bill (Formerly [House File 500](#)), relating to rulemaking authority of the department of natural resources and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 24, 2011.

AMENDMENTS FILED

H-1455	H.F. 580	Forristall of Pottawattamie
H-1456	H.F. 645	Dolecheck of Ringgold
		Winckler of Scott
H-1457	S.F. 509	Committee on Appropriations
H-1458	H.F. 561	Masher of Johnson
H-1459	H.F. 561	Isenhart of Dubuque

On motion by Helland of Polk the House adjourned at 1:38 p.m., until 10:00 a.m., Friday, March 25, 2011.